



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

3601 W. Washington • Yakima, Washington 98903-1164 • (509) 575-2800

June 17, 1994

Eberhart Associates Inc.  
PO Box 877  
Ellensburg WA 98926-0877

Re: Emergency Drought Authorization under Application No. G4-32017

In accordance with the provisions of RCW 43.83B.405, on May 12, 1994 it was ordered and determined by the Director of the Department of Ecology that the Yakima River basin is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Washington State Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. This authorization is conditioned by the following provisions and limitations:

1. The initiation date of this EMERGENCY PERMIT is June 3, 1994.

This EMERGENCY PERMIT will terminate on or before December 1, 1994, unless sooner revoked by the Director of the Department of Ecology. **THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE FACILITY HEREIN AUTHORIZED.**

2. This authorization is for use of an existing well located approximately 1190 feet south and 100 feet west of the North quarter corner of Section 2, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, T. 16 N., R. 19 E.W.M. This well is also being used under Ground Water Permit No. G4-29526P and other emergency drought permits.
3. The following well construction requirements must be satisfied before water use as described below can be started:

For the purpose of making water level measurements, installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage are also required when the well has a static water level greater than 100 feet below land surface. The air line shall be constructed of 1/4 inch minimum diameter galvanized steel pipe, or comparable material if



## EMERGENCY PERMIT

Page 2

pre-approved by the department. The air line shall be equipped with a standard tire (Schrader) valve. Distance from land surface to the bottom end of the air line shall be clearly posted at the well site, accurate to 0.5 feet or less. The air line, access port, and all well equipment shall be installed and maintained to provide access for measurement of water levels.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

4. A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology at the end of the 1994 irrigation season.

5. The quantity of water to be withdrawn under this permit is limited to 1435 gallons per minute (gpm) and 153 acre-feet per year. This is based upon the instantaneous quantity of 7½ gpm per acre and an annual quantity of 0.8 acre-feet per acre.
6. Water is to be used for supplemental irrigation of 191 acres from May 15 to December 1, 1994. The place of use is described as follows:

### PARCEL 1

That portion of the N½NW¼ of Section 11, T. 16 N., R. 19 E.W.M., Kittitas County, State of Washington, described as follows:

A tract of land bounded by a line beginning at the NE corner of the NW¼ of said section; thence S 88°52' W along the Northerly boundary line of the NW¼ of said section 1250.00 feet, more or less, to the centerline of the canyon, said point being the true point of beginning; thence Southwesterly along the centerline of said canyon to the Northeasterly right of way boundary line of the Wippel Pump Lateral of the North Branch Canal of the Kittitas Reclamation District; thence S 54°00' E 35.00 feet to the centerline of said lateral; thence Southwesterly along the centerline of said lateral



## EMERGENCY PERMIT

Page 3

37.6 feet along a 28.7 foot radius curve concave to the NW; thence N 68°47' W along the centerline of said lateral 26.5 feet; thence Northwesterly along the centerline of said lateral 39.5 feet along a 28.7 foot radius curve concave to the NE; thence N 10°12' E along the centerline of said lateral 37.5 feet; thence N 03°13' W along the centerline of said lateral 217.00 feet; thence N 16°11' E along the centerline of said lateral 138.00 feet; thence N 00°00' E along the centerline of said lateral 75.00 feet; thence N 14°51' E along the centerline of said lateral 65.1 feet; thence Northwesterly along the centerline of said lateral 64.6 feet on a 57.3 foot radius curve concave to the SW; thence N 49°45' W along the centerline of said lateral 64.0 feet; thence Northwesterly along the centerline of said lateral 55.4 feet along a 143.3 foot radius curve concave to the SW; thence N 71°55' W along the centerline of said lateral 6.6 feet; thence Westerly along the centerline of said lateral 51.3 feet along a 114.6 foot radius curve concave to the S; thence S 82°23' W 11.6 feet to the Northerly boundary line of the NW¼ of said section; thence N 88°52' E along the Northerly boundary line of the NW¼ of said section 352.8 feet to the true point of beginning.

AND that portion of Farm Unit "F", according to Farm Unit Plat, or the E½SW¼ of Section 2, T. 16 N., R. 19 E.W.M., lying W of the centerline of a canyon contained therein.

AND that portion of Farm Unit "D", according to Farm Unit Plat, or that portion of the SE¼NW¼ of Section 2, T. 16 N., R. 19 E.W.M., lying S of and above the Turbine Lateral of the Kittitas Reclamation District of the North Branch Canal of the Kittitas Reclamation District.

AND that portion of Farm Unit "E", according to Farm Unit Plat, or the W½SW¼ of Section 2, T. 16 N., R. 19 E.W.M., lying S and Easterly of the centerline of the canyon contained therein.

AND that portion of Farm Unit "C", according to Farm Unit Plat, or that portion of the SW¼NW¼ which lies E of the center of the canyon and S and above the Turbine Lateral of the Kittitas Reclamation District, being more particularly described as follows:

A tract of land bounded by a line beginning at the SE corner of the SW¼NW¼ of said section, said point being the true point of beginning; and running thence W, on the S boundary line of the SW¼NW¼ of said section 455.00 feet to the center of the canyon; thence Northeasterly along the center of said canyon 305.00 feet, more or less, to the Southerly boundary line of the right of way of the Turbine Lateral of the Kittitas Reclamation District; thence Northeasterly along the Southerly boundary line of said right of way to the intersection thereof with the E boundary line of the SW¼NW¼ of said section; thence S along the E boundary line of the SW¼NW¼ of said section 336.00 feet to the true point of beginning.



## EMERGENCY PERMIT

Page 4

EXCEPTING from the entire Parcel 1 herein described the rights of way for the Kittitas Reclamation District Turbine Lateral, Wippel Pump Lateral, and Gravity Lateral of the North Branch Canal.

### PARCEL 2

All of Farm Unit "D", according to Farm Unit Plat, or the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, T. 16 N., R. 19 E.W.M., Kittitas County, State of Washington; EXCEPT

1. All of that portion thereof which lies S of and above the Turbine Lateral of the Kittitas Reclamation District.
2. A tract of land bounded by a line beginning at the NW corner of said quarter of quarter, and running thence S 89°40' E along the Northerly boundary line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of said section 470.0 feet; thence S 48°40' W 412.3 feet; thence S 26°04' W 353.6 feet to the Westerly boundary line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of said section; thence N along the W boundary line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of said section 586.00 feet to the point of beginning.
3. The rights of way for Kittitas Reclamation District's Turbine Lateral and Gravity Lateral of the North Branch Canal.

AND that portion of Farm Unit "F" lying S and E of the center of the canyon contained therein.

AND that portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 11, T. 16 N., R. 19 E.W.M., described as follows: A tract of land bounded by a line beginning at the NE corner of the NW $\frac{1}{4}$  of said section, said point being the true point of beginning; thence S 39°18' W 339.8 feet, more or less, to the Northeasterly right of way boundary line of the right of way of Wippel Pump Lateral of the North Branch Canal of the Kittitas Reclamation District; thence S 31°28' W 35.0 feet to the centerline of said lateral; thence Northwesterly along the centerline of said lateral 92.5 feet on a 286.5 foot radius curve concave to the SW; thence N 77°02' W along the centerline of said lateral 349.5 feet; thence Westerly along the centerline of said lateral 151.5 feet on a 286.5 foot radius curve concave to the S; thence S 72°38' W along the centerline of said lateral 82.2 feet; thence S 62°03' W along the centerline of said lateral 109.5 feet; thence Southwesterly along the centerline of said lateral 54.0 feet along a 114.6 foot radius curve concave to the SE; thence S 35°03' W along the centerline of said lateral 89.5 feet; thence S 51°40' W along the centerline of said lateral 111.3 feet; thence Southwesterly along the centerline of said lateral 61.1 feet on a 191.0 foot radius curve concave to the SE; thence S 32°49' W along the centerline of said lateral 49.6 feet; thence S 21°33' W along the centerline of said lateral 107.0 feet;



## EMERGENCY PERMIT

Page 5

thence S 44°24' W along the centerline of said lateral 76.0 feet; thence S 36°00' W along the centerline of said lateral 49.9 feet; thence N 54°00' W 35.0 feet to the Northwestern right of way boundary line of said canal; thence Northeasterly along the centerline of the canyon to a point that is S 88°52' W along the Northerly boundary line of the NW¼ of said section 1250.00 feet, more or less, from the NE corner of the NW¼ of said section; thence N 88°52' E along the Northerly boundary line of the NW¼ of said section 1250.00 feet, more or less, to the NE corner of the NW¼ of said section and the true point of beginning.

EXCEPTING from the entire Parcel 2 herein described the rights of way for the Kittitas Reclamation District Turbine Lateral, Wippel Pump Lateral and Gravity Lateral of the North Branch Canal.

### PARCEL 3

Farm Unit "G", according to Farm Unit Plat, or the W½SE¼ of Section 2, T. 16 N., R. 19 E.W.M., Kittitas County, State of Washington,

AND that portion of the NW¼NE¼ and the NE¼NW¼ of Section 11, T. 16 N., R. 19 E.W.M., Kittitas County, State of Washington, which lies N and E of and below the N boundary line of the right of way of Wippel Pump Lateral of the North Branch of the Kittitas Reclamation District, said parcel being described as follows:

A tract of land bounded by a line beginning at the NW corner of the NE¼ of said section, said point being the true point of beginning; thence N 88°52' E along the Northerly boundary line of the NW¼NE¼ of said section 1323.50 feet, more or less, to the NE corner of the NW¼NE¼ of said section; thence Southwesterly along the Southeasterly boundary line of an existing field to a point that is S 46°29' W 1235.8 feet, said point being on the Easterly right of way boundary line for the Wippel Pump Lateral of the North Branch Canal of the Kittitas Reclamation District; thence N 86°02' W 35.00 feet to the centerline of said lateral; thence N 03°58' E along the centerline of said lateral 66.6 feet; thence Northerly along the centerline of said lateral 67.9 feet along an 81.9 foot radius curve concave to the W; thence N 43°32' W along the centerline of said lateral 87.1 feet; thence Northwesterly along the centerline of said lateral 76.7 feet on a 191.0 foot radius curve concave to the SW; thence N 66°32' W along the centerline of said lateral 163.3 feet; thence Northwesterly along the centerline of said lateral 69.2 feet on a 286.5 foot radius curve concave to the NE; thence N 52°42' W along the centerline of said lateral 211.6 feet; thence N 58°32' W along the centerline of said lateral 126.3 feet; thence N 31°28' E 35.00 feet to the Northeasterly right of way boundary line of said lateral; thence N 39°18' E 339.8 feet, more or less, to the NW corner of the NE¼ of said section and the true point of beginning;



## EMERGENCY PERMIT

Page 6

EXCEPTING from the entire Parcel 3 herein described the right of way for the Wippel Pump Lateral of the North Branch Canal of the Kittitas Reclamation District and the right of way for the Gravity Lateral of the Kittitas Reclamation District.

### PARCEL 4

That portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 2, T. 16 N., R. 19 E.W.M., Kittitas County, State of Washington, which lies S of and above the S boundary line of the right of way of the Gravity Lateral of the Kittitas Reclamation District, described as follows:

Beginning at a point on the S line of said Section 2, 3.3 feet S 88°52' W of the SE corner of said section said point being the true point of beginning, and running thence N 16°34' W 156.8 feet; thence to the left on the arc of a curve having radius of 286.5 feet, 154.2 feet; thence N 47°24' W 21.0 feet; thence to the left on the arc of a curve having a radius of 191.0 feet, 174.4 feet; thence S 80°16' W 211.3 feet; thence to the right on the arc of a curve having a radius of 191 feet, 53.9 feet; thence N 83°34' W 210.4 feet; thence to the left on the arc of a curve having a radius of 143.3 feet, 137.9 feet; thence S 41°16' W 74.7 feet; thence to the left on the arc of a curve having a radius of 95.5 feet, 53.1 feet; thence S 9°26' W 100.4 feet; thence to the left on the arc of a curve having a radius of 191.0 feet, 62.8 feet; thence S 9°26' E 33.8 feet, more or less, to the S boundary line of said section; thence N 88°52' E along the Southerly boundary line of the SE $\frac{1}{4}$  of said section 985.0 feet, more or less, to the true point of beginning.

AND that portion of the NE $\frac{1}{4}$  of Section 11, T. 16 N., R. 19 E.W.M., which lies N and E of and below the N boundary line of the right of way for the Wippel Pump Lateral for the North Branch of the Kittitas Reclamation District, described as follows:

A tract of land bounded by a line beginning at the NE corner of the NE $\frac{1}{4}$  of said Section 11, said point being the true point of beginning; thence S 01°14' E along the Easterly boundary line of the NE $\frac{1}{4}$  of said section 1558.3 feet to the centerline of the Kittitas Reclamation District Lateral known as the Wippel Pump Lateral; thence N 52°31' W along the centerline of said lateral 86.4 feet; thence N 62°07' W along the centerline of said lateral 75.1 feet; thence Northwesterly along the centerline of said lateral 59.4 feet along a curve concave to the NE having a radius of 143.3 feet; thence N 38°23' W 79.4 feet; thence Northwesterly along the centerline of said lateral 62.7 feet along a curve concave to the SW having a radius of 114.6 feet; thence N 69°43' W 39.6 feet; thence Northwesterly along the centerline of said lateral 65.0 feet along a curve concave to the SW having a radius of 191.0 feet; thence N 89°13' W along the centerline of said lateral 132.4 feet; thence Westerly along the centerline of said lateral 60.0 feet along a curve concave to the S having a radius of 143.3 feet; thence S 66°47' W along the centerline of said lateral 28.9 feet; thence Southwesterly along the centerline of



# EMERGENCY PERMIT

Page 7

said lateral 61.9 feet along a curve concave to the SE having a radius of 71.6 feet; thence S 19°17' W along the centerline of said lateral 130.1 feet; thence Westerly along the centerline of said lateral 100.5 feet along a curve concave to the N having a radius of 38.02 feet; thence N 09°57' W along the centerline of said lateral 104.2 feet; thence Northwesterly along the centerline of said lateral 58.9 feet along a curve concave to the W having a radius of 191.0 feet; thence N 27°37' W along the centerline of said lateral 57.8 feet; thence N 43°10' W along the centerline of said lateral 60.5 feet; thence Northwesterly along the centerline of said lateral 68.3 feet along a curve concave to the SW having a radius of 191.0 feet; thence N 63°40' W along the centerline of said lateral 157.0 feet; thence Northwesterly along the centerline of said lateral 158.3 feet along a curve concave to the S having a radius of 286.5 feet; thence S 84°40' W along the centerline of said lateral 26.0 feet; thence Southwesterly along the centerline of said lateral 166.7 feet along a curve concave to the SE having a radius of 234.6 feet; thence S 44°40' W along the centerline of said lateral 129.8 feet; thence Southwesterly along the centerline of said lateral 58.3 feet along a curve concave to the SE having a radius of 191.0 feet; thence S 27°10' W along the centerline of said lateral 34.3 feet; thence Southwesterly along the centerline of said lateral 85.0 feet along a curve concave to the SE having a radius of 286.5 feet; thence S 10°10' W along the centerline of said lateral 42.8 feet; thence S 07°27' E along the centerline of said lateral 110.1 feet; thence Westerly along the centerline of said lateral 76.0 feet along a curve concave to the NW having a radius of 28.7 feet; thence N 35°27' W along the centerline of said lateral 81.9 feet; thence N 24°32' W along the centerline of said lateral 228.3 feet; thence Northwesterly along the centerline of said lateral 164.6 feet along a curve concave to the SW having a radius of 234.6 feet; thence N 64°02' W along the centerline of said lateral 89.6 feet; thence Northwesterly along the centerline of said lateral 135.4 feet along a curve concave to the SW having a radius of 358.1 feet; thence N 85°42' W along the centerline of said lateral 65.1 feet; thence S 85°28' W along the centerline of said lateral 54.6 feet; thence Southwesterly along the centerline of said lateral 70.7 feet along a curve concave to the SE having a radius of 57.3 feet; thence S 14°48' W along the centerline of said lateral 95.1 feet; thence Westerly along the centerline of said lateral 102.8 feet along a curve concave to the N having a radius of 38.2 feet; thence N 10°52' W along the centerline of said lateral 225.2 feet; thence Northeasterly along the centerline of said lateral 45.0 feet along a curve concave to the SE having a radius of 57.3 feet; thence N 34°08' E along the centerline of said lateral 79.8 feet; thence Northeasterly along the centerline of said lateral 60.3 feet along a curve concave to the NW having a radius of 114.6 feet; thence S 86°02' E 35.0 feet to the Northeasterly right of way boundary line of said lateral; thence along the Southeasterly boundary line of an existing field to a point that is N 46°29' E 1235.8 feet, more or less, to the NW corner of the NE¼NE¼ of said section; thence N 88°52' E along the Northerly boundary line of the NE¼NE¼ of said section 1323.5 feet, more or less, to the true point of beginning;



**EMERGENCY PERMIT**

Page 8

**EXCEPTING** from the entire Parcel 4 herein described, the right of way for the Wippel Pump Lateral of the North Branch of the Kittitas Reclamation District **AND EXCEPT** the right of way for the Gravity Lateral of the North Branch Canal of the Kittitas Reclamation District.

7. The irrigation water herein authorized to be withdrawn is supplemental to water made available under primary rights by the Kittitas Reclamation District. The only water herein permitted for withdrawal is water necessary to alleviate hardships and reduce burdens on water users arising from drought conditions. This amount shall not exceed 0.8 acre-feet per year per acre.
8. Withdrawal of water under this right may be limited or otherwise regulated in favor of senior rights.

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the request must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,

  
Doug Clausing  
Section Manager  
Water Resources Program

DC:ska  
940621.wr4

Enclosures: Flow Measurement Record  
Flow Meter Requirements  
Ground Water Bulletin No. 1

cc: Yakama Indian Nation  
Dale Bambrick  
Wendell Hannigan